

**STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE ARCHITECTURE,
GEOSCIENCE AND INTERIOR DESIGN**

**In the Matter of William F. Jones,
Unlicensed**

**CEASE AND DESIST ORDER
AND
NOTICE OF RIGHT TO HEARING**

Board File No: 2003-0069

**TO: Mr. William F. Jones
P.O. Box 48
Park Rapids, MN 56470**

ALLEGATIONS

The Complaint Committee of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") alleges as follows:

1. A complaint concerning William F. Jones ("Respondent") has been received and reviewed by the Board's Complaint Committee.
2. Respondent is not currently and has never been licensed by the Board as an architect in the State of Minnesota.
3. Respondent is not currently and has never been licensed by the Board as a professional engineer in the State of Minnesota.
4. The Complaint Committee has received information that Respondent has failed to comply with or violated Minn. Stat. § 326.02, subd. 1, 2, and 3 and Minn. Stat. § 326.03 (2002). Specifically, the Complaint Committee has learned the following:
 - a) Respondent is the owner of the building called "The Crossings," which

is located in Park Rapids, Minnesota (the "Building").

b) According to a building permit, dated October 1, 2001, the Building was originally constructed as a two-story storage facility that is 4,128 square feet in size. A true and correct copy of the October 1, 2001 building permit is attached as Exhibit A.

c) As originally constructed, the Building was a nonexempt structure under the Board's statutes and rules, specifically Minn. R. 1800.5200, subp. 1 and 1800.5800(S) (2003).

d) On October 25, 2002, Respondent applied for a conditional use permit with Hubbard County. The conditional use permit was to establish, inter alia, a restaurant/bar in the Building referenced in item 4(b) above. Respondent prepared design drawings that were submitted with the conditional use permit application. Respondent later withdrew the conditional use permit application from Hubbard County. A true and correct copy of the October 25, 2002 conditional use permit application and the design drawings are attached as Exhibit B.

e) On February 20, 2003, Respondent submitted a conditional use permit application to Hubbard County to establish, inter alia, a restaurant/bar in the Building referenced in item 4(b) above. In the conditional use permit application, Respondent states:

I am requesting that I be allowed to use the building known as The Crossings at Park Rapids for a variety of purposes. I would like to establish a bar/restaurant in the building which will have a licensed kitchen and bar facility. A portion of the building may be used for retail for gift/souvenir items. I will also have an office on site which would be used for the various businesses and might include my Law Office. The lower level of the building would be utilized for meeting rooms, a health club with weight machines, tread mills and other equipment in addition to having bathroom shower facilities for the campground and health club. The basement might also have a pizza shop or other restaurant. The building

will have a garage area used for equipment to maintain the campground and storage of equipment. The Building may include a caretakers apartment.

Additional uses for the building will be for wedding receptions, anniversary parties, graduation parties, family reunions and other community or corporate activities which need this sort of facility. The facility will be handicapped accessible. I have had brief discussions with individuals who might want to have winter auctions at the site, but this would not be a primary use for the building. Any activity taking place in the building would be fully licensed pursuant to Minnesota Law and within the guidelines of the Hubbard County Shoreland Ordinance.

Hubbard County approved the conditional use permit application on June 10, 2003. A true and correct copy of the conditional use permit application, dated February 20, 2003, and Hubbard County's approval, dated June 10, 2003, is attached as Exhibit C.

f) The restaurant/bar and other uses proposed by Respondent are also nonexempt structures under the Board's statutes and rules, specifically Minn. R. 1800.5800(A, B, M, S) (2003).

g) On May 21, 2003, Hubbard County issued a building permit to Respondent permitting the construction of a 1,872 square foot addition to the Building referenced in paragraph 4(b) above and one 200-foot (length) by 20-foot (width) exterior deck, and one 14-foot (length) by 20-foot (width) exterior deck. Respondent prepared the design drawings submitted with the permit application. A true and correct copy of the building permit application, dated May 21, 2003, and the design drawings is attached as Exhibit D.

h) Based upon the information provided in the permit application dated May 21, 2003, the 1,872 square foot addition and the two deck additions to the Building proposed by Respondent are nonexempt structures under the Board's statutes and rules, specifically Minn. R. 1800.5200, subp. 1 and 1800.5800(A, B, M, S) (2003).

i) In a June 16, 2003 letter to the Board, Respondent addresses the allegations. Respondent states:

"For your information, all plans that have been prepared for my building were done by myself and have been submitted to Hubbard County pursuant to their ordinance."

A true and correct copy of the June 16, 2003 letter is attached as Exhibit E.

j) Respondent sought the approval of the Minnesota Department of Health for the kitchen and bar plans. On July 1, 2003, Respondent wrote to Mr. Steve Craig at the Department of Health explaining the plans of the kitchen and bar for the restaurant. A true and correct copy of the July 1, 2003 letter and drawings are attached as Exhibit F.

k) In a September 19, 2003 letter to the Board, Respondent informed the Board that he was the general contractor and he drew the plans for the structure. Respondent states:

"I have pulled all of the permits for the buildings through them, I am the general contractor and I have done my own plans for the structure. There is no other contractor on the project."

A true and correct copy of the September 19, 2003 letter is attached as Exhibit G.

5. The above acts constitute violations of Minn. Stat. § 326.02, subd. 1,2, and 3 and Minn. Stat. § 326.03 (2002) and Respondent is therefore subject to this Cease and Desist Order under Minn. Stat. § 326.111, subd. 3 (2002).

6. The following order is in the public interest.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. § 326.111, subd. 3 (2002), that Respondent William F. Jones shall cease and desist from

practicing architecture, from practicing professional engineering in Minnesota, and from further violations of Minn. Stat. §§ 326.02 to 326.15 (2002) until such time as he becomes licensed as an architect or professional engineer in the state of Minnesota.

IT IS FURTHER ORDERED THAT pursuant to Minn. Stat. §326.111, subd. 6 (2002), Respondent shall pay a civil penalty of twenty thousand dollars (\$20,000.00) of which fourteen thousand dollars (\$14,000.00) will be stayed on the condition that Respondent does not violate Minnesota Statutes §§ 326.02 and 326.03 (2002) for two (2) years beginning on the date that the Board Chair signs this Order. Respondent shall pay six thousand dollars (\$6,000.00) to the Board by cashier's check or money order within sixty (60) days after the date of the Board's approval of this Order.

IT IS FURTHER ORDERED THAT pursuant to Minn. Stat. § 16D.17, Subd. 2 (2002), in the event that Respondent is found to have practiced architecture or professional engineering in Minnesota within two (2) years of the date that the Board Chair signs this Order, or if Respondent does not timely pay the unstayed portion of the civil penalty imposed by this Order, the Board may lift the stay on the civil penalty imposed above, and the Board may file and enforce the unpaid portion of the civil penalty as a judgment without additional proceedings.

NOTICE OF RIGHT TO HEARING

Pursuant to Minn. Stat. § 326.111, subd. 3 (2002), Respondent may request a hearing in this matter. Such request must be in writing and served upon the Board within thirty days after service of this Order, whereupon a hearing will be held within thirty days after receipt of the request unless Respondent and the Complaint Committee agree that the hearing be scheduled after the thirty-day period. In accordance with

Minn. Stat. § 326.111, subd. 3 (2002), if no hearing is requested by Respondent within thirty days of service of this Order, this Order will become final and will remain in effect until it is modified or vacated by the Board. In accordance with Minn. Stat. § 16D.17, Subd. 2 (2002), in the event this Order becomes final, the Board may file and enforce the civil penalty as a judgment without further notice or additional proceedings.

In the event a hearing is scheduled in this matter, it will be held before an administrative law judge of the Office of Administrative Hearings for the State of Minnesota, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, Telephone: (612) 341-7610. All parties have the right to represent themselves or be represented throughout the proceedings herein by legal counsel or a person of their choice if not otherwise prohibited as the unauthorized practice of law. The hearing will be conducted pursuant to the contested case procedures as prescribed in Minn. Stat. §§ 14.57 to 14.69 (2002), as amended, and the Rules of the Office of Administrative Hearings, Minn. Rules Ch. 1400.5010 to 1400.8401 (2003). **FAILURE TO ATTEND THE HEARING IN THIS MATTER MAY RESULT IN THE ALLEGATIONS OF THIS ORDER BEING TAKEN AS TRUE AND DEEMED PROVED WITHOUT FURTHER EVIDENCE, THE PROCEEDING BEING DETERMINED AGAINST THE PARTY FAILING TO ATTEND.** Questions concerning this Order may be directed to Assistant Attorney General Michele Owen, 1800 NCL Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, Telephone: (651) 297-3995.

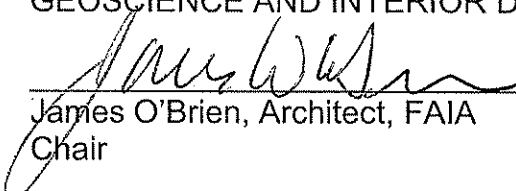
Copies of the above-cited statutes and procedural rules are available on-line at www.revisor.leg.state.mn.us or may be purchased from the Department of Administration, Public Documents Division, 660 Olive Street, St. Paul, Minnesota

55155, telephone: (651) 297-3000.

IF YOU NEED A REASONABLE ACCOMMODATION for a disability in order to participate in the hearing process, such an accommodation can be made available upon advance request so that the hearing is accessible. Examples of reasonable accommodations include wheelchair accessibility, an interpreter, or Braille or large-print materials. If any party requires an interpreter, including a foreign language interpreter, the Board office must be promptly notified. To arrange an accommodation or an interpreter, you may contact Doreen Johnson Frost, Executive Director of the Board, Suite 160, 85 East Seventh Place, St. Paul, Minnesota 55101, or you may call: Voice (651) 296-2388 or TDD (651) 297-5353.

Dated: 1-20-05, 2005

STATE OF MINNESOTA
BOARD OF ARCHITECTURE,
ENGINEERING, LAND SURVEYING,
LANDSCAPE ARCHITECTURE,
GEOSCIENCE AND INTERIOR DESIGN


James O'Brien, Architect, FAIA
Chair

RECEIVED

JUN 20 2002

ENVIRONMENTAL SERVICES OFFICE
HUBBARD COUNTY COURT HOUSE
PARK RAPIDS, MN

218) 732-3890

56470

APPLICATION FOR PERMITS

LEGAL DESCRIPTION AND LOCATION	HNR LONG LAKE PARK OUTLOT 1 EX PT FR SW COR PB N270 E183 S TO HWY SW AL HWY TO PB & EX HWY		Date	10/1/01	
			Tax Parcel Number	13.42.03900	
			E911 Address	17791 STATE 34	
	Lake #	Lake Name	Lake Class	Sec/Twp/Range	Twp Name
	29-0161HE	LONG	REC DEV	20 140 34	HENRIETTA
OWNER	Name	Address		City/State/Zip	Phone
	JONES, WILLIAM F	PO BOX 48 PARK RAPIDS MN 56470			732-3000
Lot area	12.02 ACRE	sq ft	Water frontage	ft	Lot depth
					400 ft
Land ht above high water mark at bldg line	25 ft	Bldg setback from high water mark	600 ft	Bldg setback from nearest lot line	10 ft
					100 ft

Building Permit		Fee	\$50.00
Land Use	Commercial	Contractor	OWNER
Type	NEW BUILDING	License #	SELF
For use as	Storage Building	Size	43 Ft wide
# Bedrooms	0	x	96 Ft long
# Bathrooms	0	=	4128 SqFt
Basement <input type="checkbox"/>			
Stories above basemt		2	
Appeal Date:	Appeal Num:		
Appeal Decision:	11-8-02 : AMEND TO LEAD 7' X 24' ENTRANCE EAST SIDE OF BUILDING		
Comments:	2 Story Picnic Pavillion - Currently no sewer or water. Lot split currently being recorded (as per conversation with Judy Harsha. Will note on file split as it occurs.		

When working in wetlands, contact the DNR, Army Corp of Engineers, and the Hubbard County Wetland Act Administrator.

AGREEMENT: I the undersigned hereby make application for work described and located as shown herein. I hereby certify that the information contained herein is correct and agree to do the work in accordance with the provision of the Ordinances of Hubbard County, MN. I further agree that any plans and specification submitted herewith shall become part of this application, and I agree to an on-site inspection visit by Hubbard County without further notice.

Dated

10-01-01

Signature of Owner or Agent

PERMIT: Permission is hereby granted to the above named applicant to perform the work described in the above statement. This permit is granted upon the express condition that the person to whom it is granted, and his/her agent, employees and workers shall conform in all respects to the Ordinances of Hubbard County, MN. This permit may be revoked at any time upon violation of said Ordinances.

Dated

10-1-01

PLANNING & ZONING ADMINISTRATOR

NOTE: Any change in the above plans must be approved by the Hubbard County Environmental Services Office. All disposal systems shall be approved by the Environmental Services Office before covering. Permit is valid for a period of 12 (twelve) months.

BUILDER/LICENSE NO.
SELF
OWNER

HUBBARD COUNTY, MINNESOTA

BUILDING

DATE ISSUED
10/1/01
PERMIT EXPIRES
10/1/02

PERMIT

HAS BEEN
ISSUED TO
JONES, WILLIAM F

PARCEL #
13.42.03900

LOCATION
LAKE NAME
LONG

ES11 ADDRESS
17791 STATE 34

TOWNSHIP NAME
HENRIETTA

SECTION TWP RANGE LAKE CLASS
20 140 34 REC DEV

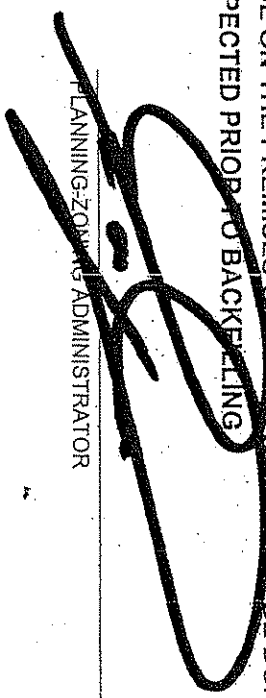
LEGAL
DESCRIPTION
HNRLONG LAKE PARK OUTLOT 1 EX PT FR SW COR PB N270 E183 S TO HWY SW AL HWY TO PB & EX HWY

PERMIT #
12950: NEW BUILDING/Storage Building

COMMENTS
2 Story Picnic Pavilion - Currently no sewer or water. Lot split currently being recorded (as per conversation with Judy Harsha. Will note on file split as it occurs.

POST ON PREMISES IN PLAIN VIEW (NO MORE THAN 12 FEET ABOVE GRADE ON THE PREMISES ON WHICH WORK IS TO BE DONE).
ALL SEPTIC SYSTEM INSTALLATIONS MUST BE INSPECTED PRIOR TO BACKFILLING

PLANNING ZONING ADMINISTRATOR



ENVIRONMENTAL SERVICES OFFICE

HUBBARD COUNTY COURT HOUSE

PARK RAPIDS, MN

218) 732-3890

56470

APPLICATION FOR CONDITIONAL USE

LEGAL DESCRIPTION AND LOCATION	HNR LONG LAKE PARK OUTLOT 1 EX PT FR SW COR PB N270 E183 S TO HWY SW AL HWY TO PB & EX HWY		Date	10/25/2002	App #	7-CU-02
			Tax Parcel Number	13.42.03900		
			E911 Address	17791 STATE 34		
	Lake #	Lake Name	Lake Class	Sec/Twp/Range	Twp Name	
	29-0161HE	LONG	REC DEV	20 140 34	HENRIETTA	
OWNER	Name	Address		City/State/Zip		Phone
	JONES, WILLIAM FP.	O. BOX 48 PARK RAPIDS MN 56470				732-3000

☐ Applicant is a corporation; state incorporated in is N/A Applicant is? OWNER

☐ Applicant is part of a partnership. If yes, list partner's name and address below.

NAME: ADDRESS: 0

This application for conditional use is for the following use (describe your requested use in detail):

Part of Outlot No. 1 Long Lake Park, Section Twenty (20), Township One Hundred forty (140), Range Thirty-four (34), Henrietta Township on Long Lake, Parcel #13.42.03900. Applicant is requesting to be allowed to use the building known as 'The Crossings at Park Rapids' for a variety of purposes. Applicant would like to establish a bar/restaurant in the building which will have a licensed kitchen and bar facility. A portion of the building may be used for retail for gift/souvenir items related to the campground operation and other licensed operations. There will be an office on site which would be used for the various businesses and might include the applicant's law office. The lower level of the building would be utilized for meeting rooms or a health club with weight machines, tread mills and other equipment used in physical fitness training in addition to having bathroom facilities and shower facilities for use by the campground and the health club. A portion of the building will have a garage area used for equipment to maintain the campground and storage of equipment. The building would also have a warming house for wintertime activities. The building will be used as a viewing area for licensed snowmobile racing. The snowmobile racing would take place on property which does not fall within 1,000 feet of the Shoreland Ordinance.

Additional uses for the building will be for wedding receptions, anniversary parties, graduation parties, family reunions and other community or corporate activities which need this sort of facility. The facility will be handicapped accessible. Discussions with individuals who might want to have winter auctions at the site have occurred, but this would not be a primary use for the building. Any activity taking place in the building would be fully licensed pursuant to Minnesota Law and within the guidelines of the Hubbard County Shoreland Ordinance. Long Lake is a recreational development lake.

In order to have your appeal properly evaluated, please provide as much supplementary information as possible. Examples include maps, plans, information about surrounding property, directions to property, etc.

FILING FEE: \$250.00

SIGNATURE OF APPLICANT

-DO NOT USE SPACE BELOW-

Date of application file with Planning/Zoning Office

10/23/2002

Filing acknowledgement by

Garry Johanson by JMT

Date, time and place of hearing

11/12/2002 Hubbard County Courthouse Lower Level Mtg R

Decision of the County Board of Commissioners:

REASON:

Any aggrieved person or persons, any Department, Board, Commission of the jurisdiction or of the State shall have the right to appeal within 30 days after receipt of notice of the decision, to the district court in the County in which the land is located on questions of law and fact.

CHAIRMAN'S SIGNATURE

DATE

20

Applicant and MNDNR notified on

GARRY JOHANSON
PLANNING/ZONING ADMINISTRATOR
HUBBARD COUNTY, MINNESOTA

EXHIBIT B

Friday, October 25, 2002

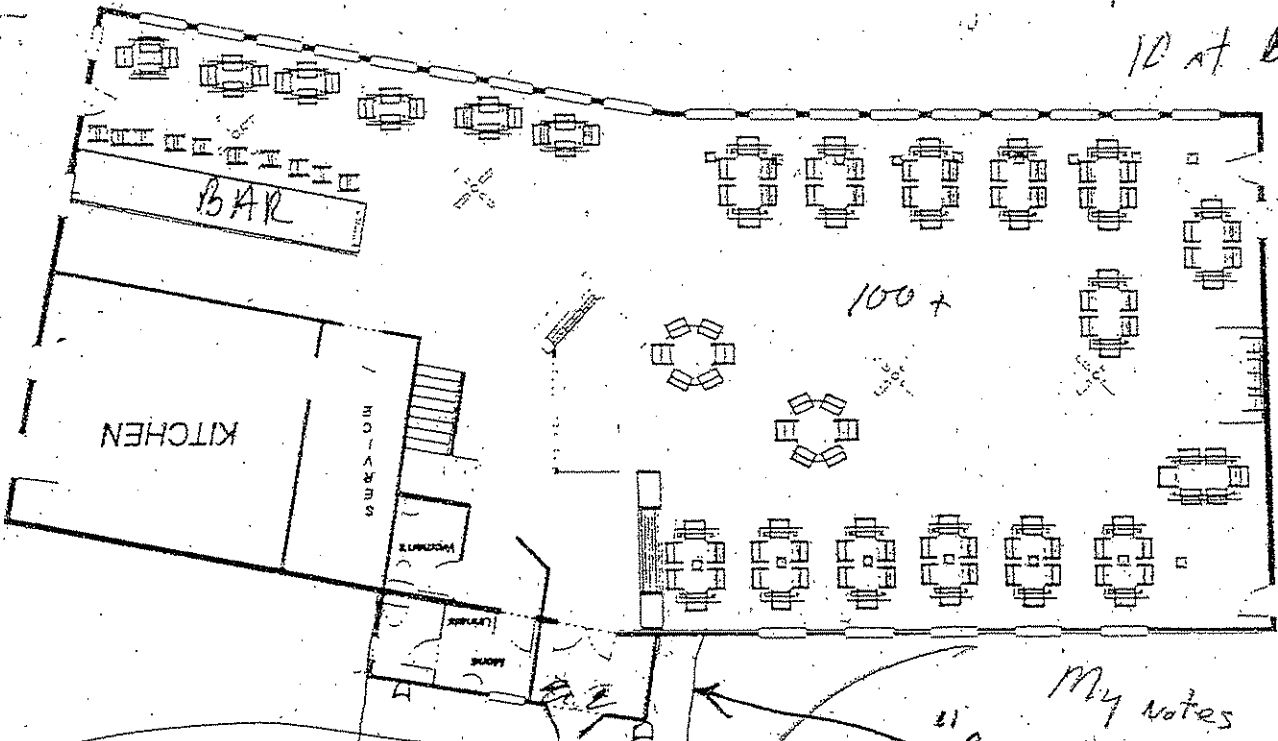
RECEIVED
23 2002
HUBBARD COUNTY ENVIRONMENTAL

Upper level

Upstairs

108 seated

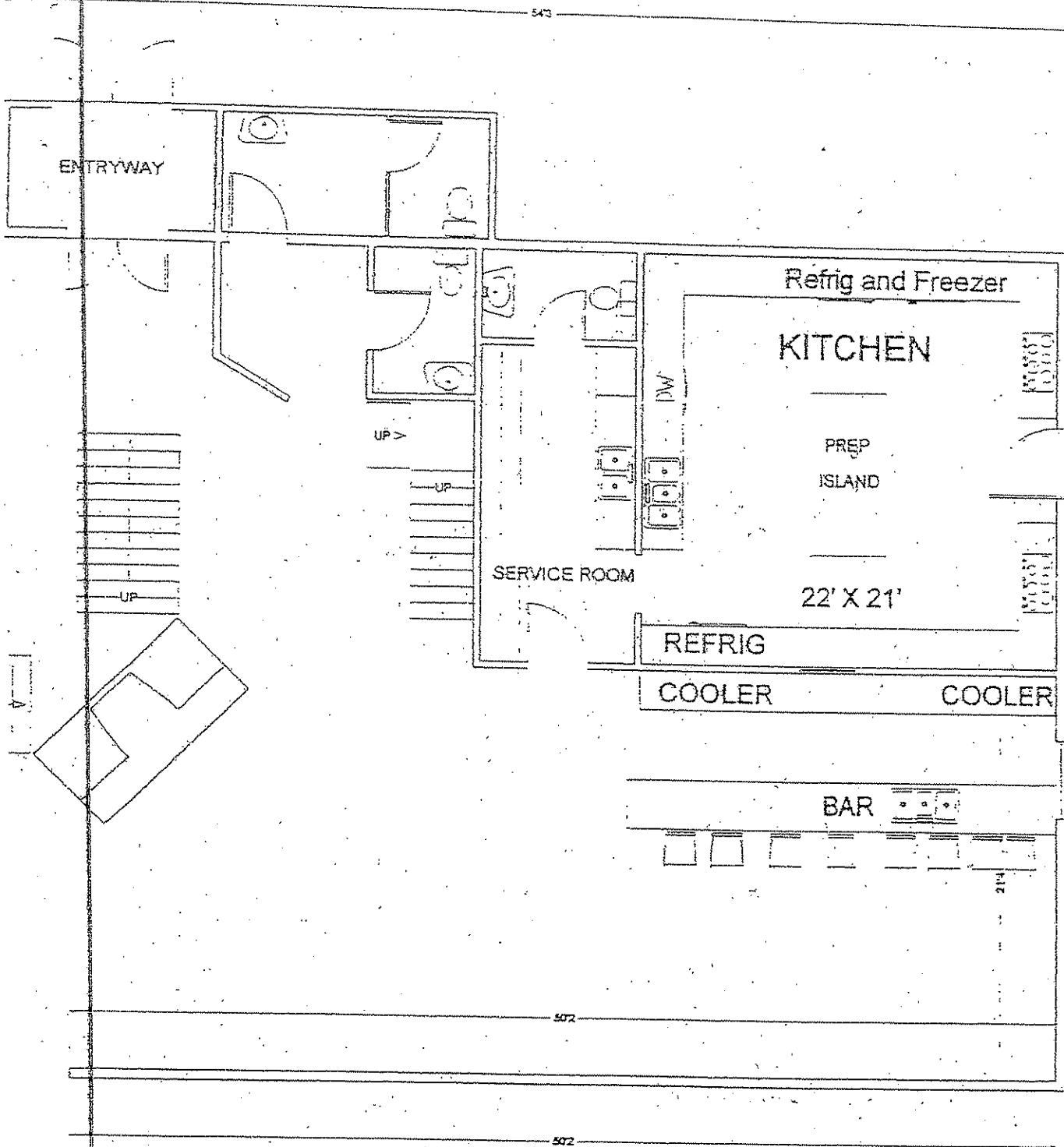
10 at Bar



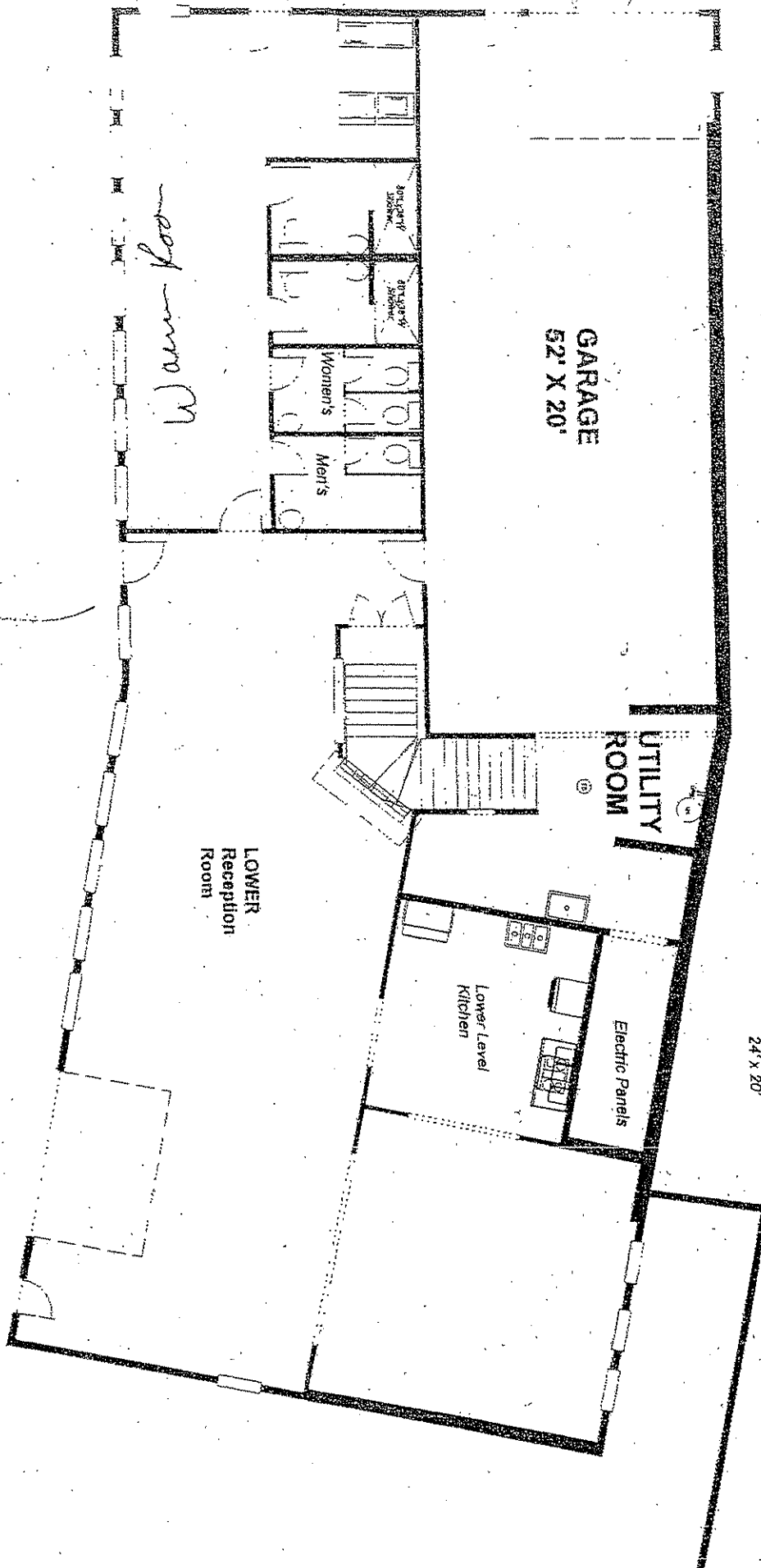
Carport

My notes
"Amended" Add-on
(41%) 1/2 entrance 11/8/02
(57%) 1/2 mens Room
Bren M M

Detail Kitchen



Lower level



ORIGINAL**HUBBARD COUNTY SHORELAND MANAGEMENT ORDINANCE**HUBBARD COUNTY COURT HOUSE
PARK RAPIDS, MN

(218) 732-3890

56470

APPLICATION FOR A CONDITIONAL USE

LEGAL DESCRIPTION AND LOCATION	See attached --Exhibit "B"		Date <u>02/20/03</u>		
			Tax Parcel Number <u>13.42.03900</u>		
			E911 Address <u>17791 State 34</u>		
		Application Number <u>3-CU-03</u>			
<u>29-0161HE</u>		<u>Long</u>	<u>REC DEV</u>	<u>20 140 34</u>	<u>Henrietta</u>
Lake No.		Lake Name	Lake Class	Sec. Twp. Range	Twp. Name

OWNER	Name <u>Jones, William F.</u>	Mailing Address <u>PO Box 48, Park Rapids MN</u>	Zip Code <u>56470</u>	Telephone <u>218-732-3000</u>
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☐ Applicant is a corporation; state incorporated in is NA


Applicant is? ☒ Owner ☐ Lessee ☐ Occupant ☐ Agent ☐ Other

☐ Applicant is a part of a partnership. If yes, list partner's name and address below.

NAME	ADDRESS	ZIP
<p>This application for conditional use is for the following use. Describe your requested use in detail.</p> <p style="text-align: center;">See attached - Exhibit "C" & Amended Exhibit "D"</p>		

In order to have your appeal properly evaluated, please provide as much supplementary information as possible, such as: maps, plans, information about surrounding property, directions to property, etc.

FILING FEE \$250.00


 SIGNATURE OF APPLICANT

—DO NOT USE SPACE BELOW—

Date of application file with Planning-Zoning Office 02/20/03 Filing acknowledgement by Garry Johanson.

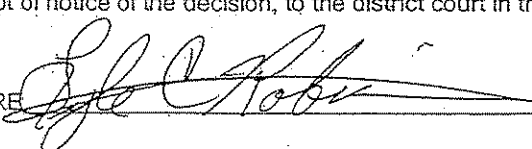
Date, time and place of hearing County Board Meeting 5/13/2003, Hubbard County Courthouse

Decision of the County Board of Commissioners: On a motion of Mr. Frank, seconded by Mr. Nelson and carried unanimously, the following Findings of Fact were adopted and the application of William F. Jones for a conditional use appeal #3-CU-03, Henrietta Township, for a restaurant/bar was approved with the following list of specific conditions of approval:

REASON: See Attached Exhibit "A" Conditions

This is in accordance with Section 1106 of the Hubbard County Shoreland Management Ordinance and the findings of fact on file with the Planning & Zoning Office.

Any aggrieved person or persons, any Department, Board, Commission of the jurisdiction or of the State shall have the right to appeal within 30 days after receipt of notice of the decision, to the district court in the County in which the land is located on questions of law and fact.

CHAIRMAN'S SIGNATURE  DATE June 10 20 03

Applicant and MN Dept. of Natural Resources notified on June 10, 2003

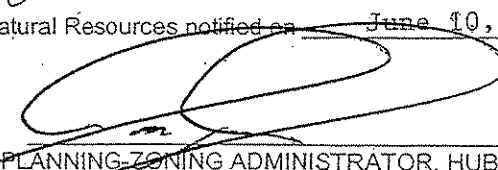

6-10-03
 PLANNING-ZONING ADMINISTRATOR, HUBBARD COUNTY, MINNESOTA

EXHIBIT C

William F. Jones Conditional Use Appeal #3-CU-03

Exhibit "A" Conditions

1. Land restoration of the race track, within 1000 feet of the lake, to its natural condition with installation of vegetation along CR 107 to be complete within one year of this conditional use approval.
2. One main property business entrance on State Hwy 34 with property entrances from CR 107 restricted to two.
3. Restaurant seating capacity not to exceed 400.
4. Maintain receipt ratio not to exceed 30/70 - alcohol to restaurant receipts, alcohol 30% max.
5. Provide adequate parking on premises.
6. Outside music decibals not to exceed the property lines.
7. Customer and commercial access shall be posted on State Hwy 34, per Hubbard County Ordinances.
8. No racing events to be conducted on the property.

This is in accordance with Section 1106 of the Shoreland Management Ordinance and the findings of fact on file with the Planning and Zoning Office.

EXHIBIT "B"

The Conditional Use is requested for the following property located within the Shoreland Ordinance:

That part of Outlot No. 1, LONG LAKE PARK, according to the plat thereof on file and of record in the Office of The Recorder, Hubbard County, Minnesota, described as follows:

Commencing at the southwest corner of Section 20, Township 140 North, Range 34 West; thence on an assumed bearing of North 89 degrees 43 minutes 50 seconds East along the South line of said Section 20 a distance of 2692.06 feet to the South Quarter corner of said Section 20; thence North 38 degrees 34 minutes 20 seconds East a distance of 2128.46 feet to the West line of said Outlot No. 1, as occupied; thence North 0 degrees 17 minutes 55 seconds West along said West line a distance of 245.03 feet; thence North 89 degrees 42 minutes 5 seconds East a distance of 183.83 feet to the point of beginning of the tract to be described; thence South 89 degrees 42 minutes 5 seconds West a distance of 183.83 feet to the said West line of Outlot No. 1 as occupied; thence North 0 degrees 17 minutes 55 seconds West along said West line a distance of 626.46 feet to the southerly right-of-way of Minnesota Trunk Highway No. 34; thence North 77 degrees 56 minutes 18 seconds East along said right-of-way a distance of 1075.59 feet; thence South 0 degrees 17 minutes 55 seconds East a distance of 91.62 feet to the northwesterly right-of-way of Hubbard County Road No. 107; thence southwesterly along said right-of-way to its intersection with a line that bears South 0 degrees 17 minutes 55 seconds East from the point of beginning; thence North 0 degrees 17 minutes 55 seconds West a distance of 125.92 feet to the point of beginning and there terminating,

Less and except

That part of Outlot No.1 LONG LAKE PARK, according to the plat thereof on file and of record in the office of the recorder, Hubbard County, Minnesota, described as follows:

Commencing at the Southwest corner of Section 20, Township 140 North, Range 34 West; thence on an assumed bearing of North 89 degrees 43 minutes 50 seconds East along the South line of said Section 20 a distance of 2692.06 feet to the South quarter corner of said Section 20; thence North 38 degrees 34 minutes 20 seconds East a distance of 2128.46 feet to the West line of said Outlot No. 1, as occupied; thence North 0 degrees 17 minutes 55 seconds West along said West line a distance of 245.03 feet to the point of beginning of the tract to be described; thence continuing North 0 degrees 17 minutes 55 seconds West along said West line a distance of 626.46 feet to the Southerly right-of-way of Minnesota Trunk Highway No. 34; thence North 77 degrees 56 minutes 18 seconds East along said right-of-way a distance of 289.80 feet; thence South 0 degrees 59 minutes 35 seconds West a distance of 583.95 feet; thence South 40 degrees 25 minutes 42 seconds West a distance of 134.23 feet; thence South 89 degrees 42 minutes 05 seconds West a distance of 183.83 feet to the point of beginning and there terminating. Containing 4.06 acres, more or less.

Subject to other easements, restrictions and reservations of record, if any.

E911 Address: 17789 State Hwy 34, Park Rapids, MN 56470

Lake Name: Long Lake

Lake Class: Recreational Development

20-140-34 under Section, township, range

Henrietta Township

Exhibit "C"

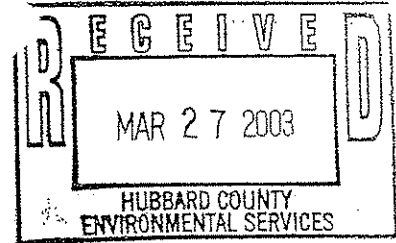
The following is a description of the uses which I am applying for in my application for Conditional Use for The Crossings at Park Rapids, Inc.

I am requesting that I be allowed to use the building known as The Crossings at Park Rapids for a variety of purposes. I would like to establish a bar/restaurant in the building which will have a licensed kitchen and bar facility. A portion of the building may be used for retail for gift/souvenir items. I will also have an office on site which would be used for the various businesses and might include my Law Office. The lower level of the building would be utilized for meeting rooms, a health club with weight machines, tread mills and other equipment in addition to having bathroom shower facilities for the campground and health club. The basement might also have a pizza shop or other restaurant. The building will have a garage area used for equipment to maintain the campground and storage of equipment. The Building may include a caretakers apartment.

Additional uses for the building will be for wedding receptions, anniversary parties, graduation parties, family reunions and other community or corporate activities which need this sort of facility. The facility will be handicapped accessible. I have had brief discussions with individuals who might want to have winter auctions at the site, but this would not be a primary use for the building. Any activity taking place in the building would be fully licensed pursuant to Minnesota Law and within the guidelines of the Hubbard County Shoreland Ordinance.

Exhibit "D"

FAX TRANSMISSION



DATE: March 27, 2003

TO: Garry Johanson

AT FAX PHONE NUMBER: 732-7993

NUMBER OF PAGE(S) BEING
SENT(Including this sheet): 4

MESSAGE:

FROM: William F. Jones, Attorney at Law
P.O. Box 48
101 West 2nd Street
Park Rapids, MN 56470
Ph: (218) 732-3000 Fax: (218) 732-4000

PLEASE CALL THE OFFICE IF YOU DO NOT RECEIVE ALL PAGES.

Thank you,

WILLIAM F. JONES, Attorney

The information contained in this facsimile message is privileged and confidential. It is intended only for the use of the individual or entity to whom it is addressed. If the recipient of this transmittal is not the intended recipient, or an agent or employee responsible to deliver it to the intended recipient, any dissemination, distribution or copying of this document is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and request return instructions.

Exhibit "D"

William F. Jones Law Office

101 West Second Street P.O. Box 48
Park Rapids, MN 56470
Telephone (218) 732-3000 Fax: (218) 732-4000
E-Mail: wjoneslaw@yahoo.com

WILLIAM F. JONES
ATTORNEY AT LAW

Via Fax: 732-7993

March 27, 2003

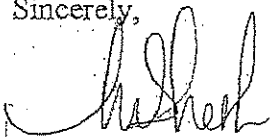
Garry Johanson
Environmental Service
Hubbard County Courthouse
Park Rapids, MN 56470

Re: Stockade Campground and Current Building Project

Dear Garry:

Please find enclosed with this letter an Amended Statement of Use pursuant to the township meeting wherein Floyd Frank requested a more narrowed down statement of use for the Crossings/Stockade Campground. Please call Mr. Jones with any questions that you may have.

Sincerely,



Michelle Sherk
Jones Law Office
enclosure

G:\WPEDCS\JONESPER\Crossings at PR\Uobanson.lt2.wpd

Amended Statement of Use

The following is a description of the uses which I am applying for in my application for Conditional Use for The Crossings at Park Rapids, Inc.

I am requesting that I be allowed to use the building known as The Crossings at Park Rapids for a variety of purposes. I would like to establish a bar/restaurant in the building which will have a licensed kitchen and bar facility. The lower level of the building would be utilized for the campground registration and recreation as well as the normal campground amenities. The building will have a garage area used for equipment to maintain the campground and storage of equipment. The Building may include a caretakers apartment.

The building will be used for wedding receptions, anniversary parties, graduation parties, family reunions and other community or corporate activities which need this sort of facility. The facility will be handicapped accessible. Any activity taking place in the building would be fully licensed pursuant to Minnesota Law and within the guidelines of the Hubbard County Shoreland Ordinance.

Exhibit "D"

The Conditional Use is requested for the following property located within the Shoreland Ordinance:

That part of Outlot No. 1, LONG LAKE PARK, according to the plat thereof on file and of record in the Office of The Recorder, Hubbard County, Minnesota, described as follows:

Commencing at the southwest corner of Section 20, Township 140 North, Range 34 West; thence on an assumed bearing of North 89 degrees 43 minutes 50 seconds East along the South line of said Section 20 a distance of 2692.06 feet to the South Quarter corner of said Section 20; thence North 38 degrees 34 minutes 20 seconds East a distance of 2128.46 feet to the West line of said Outlot No. 1, as occupied; thence North 0 degrees 17 minutes 55 seconds West along said West line a distance of 245.03 feet; thence North 89 degrees 42 minutes 5 seconds East a distance of 183.83 feet to the point of beginning of the tract to be described; thence South 89 degrees 42 minutes 5 seconds West a distance of 183.83 feet to the said West line of Outlot No. 1 as occupied; thence North 0 degrees 17 minutes 55 seconds West along said West line a distance of 626.46 feet to the southerly right-of-way of Minnesota Trunk Highway No. 34; thence North 77 degrees 56 minutes 18 seconds East along said right-of-way a distance of 1075.59 feet; thence South 0 degrees 17 minutes 55 seconds East a distance of 91.62 feet to the northwesterly right-of-way of Hubbard County Road No. 107; thence southwesterly along said right-of-way to its intersection with a line that bears South 0 degrees 17 minutes 55 seconds East from the point of beginning; thence North 0 degrees 17 minutes 55 seconds West a distance of 125.92 feet to the point of beginning and there terminating,

Less and except

That part of Outlot No.1 LONG LAKE PARK, according to the plat thereof on file and of record in the office of the recorder, Hubbard County, Minnesota, described as follows:

Commencing at the Southwest corner of Section 20, Township 140 North, Range 34 West; thence on an assumed bearing of North 89 degrees 43 minutes 50 seconds East along the South line of said Section 20 a distance of 2692.06 feet to the South quarter corner of said Section 20; thence North 38 degrees 34 minutes 20 seconds East a distance of 2128.46 feet to the West line of said Outlot No. 1, as occupied; thence North 0 degrees 17 minutes 55 seconds West along said West line a distance of 245.03 feet to the point of beginning of the tract to be described; thence continuing North 0 degrees 17 minutes 55 seconds West along said West line a distance of 626.46 feet to the Southerly right-of-way of Minnesota Trunk Highway No. 34; thence North 77 degrees 56 minutes 18 seconds East along said right-of-way a distance of 289.80 feet; thence South 0 degrees 59 minutes 35 seconds West a distance of 583.95 feet; thence South 40 degrees 25 minutes 42 seconds West a distance of 134.23 feet; thence South 89 degrees 42 minutes 05 seconds West a distance of 183.83 feet to the point of beginning and there terminating. Containing 4.06 acres, more or less.

Subject to other easements, restrictions and reservations of record, if any.

E911 Address: 17789 State Hwy 34, Park Rapids, MN 56470

Lake Name: Long Lake

Lake Class: Recreational Development

20-140-34 under Section, township, range

Henrietta Township

COUNTY OF HUBBARD

CRITERIA TO BE USED IN DETERMINATIONS FOR CONDITIONAL USE PERMITS

Name of Applicant: William F. Jones Date: 05/13/03

Conditional Use Permit Requested: Applicant is requesting to be allowed to use the building as a restaurant/bar which will have a licensed kitchen and bar facility. The building will be used for wedding receptions, anniversary parties, graduation parties, family reunions and other community or corporate activities which need this sort of facility. The facility will be handicapped accessible. Any activity taking place in the building would be fully licensed pursuant to Minnesota Law and within the guidelines of the Hubbard County Shoreland Ordinance. Long Lake is a recreational development lake.

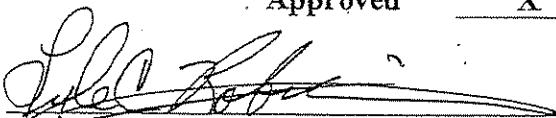
	YES	NO
1. Is the proposal consistent with the intent and purpose of the State Shoreland Management Rules, County Comprehensive Plan and Zoning Ordinance?	X	
2. Will the proposal avoid causing any unreasonable adverse effect on adjacent property?	X	
3. Will the proposal avoid substantially diminishing or impairing property values within the vicinity?	X	
4. Will the proposal insure a density of land use no greater than otherwise allowed for the zoning district the premises lie within?	X	
5. Will the proposal avoid impedance of the normal and orderly development and improvement of surrounding property for uses predominant in the area?	X	
6. Is the location and character of the proposed development consistent with a desirable pattern of development?	X	

IF ALL THE ANSWERS ARE YES, THE CRITERIA FOR GRANTING OF THE CONDITIONAL USE PERMIT HAVE BEEN MET. USE THE PARAMETERS OF HEALTH, SAFETY AND GENERAL WELFARE OF THE PUBLIC WHEN DETERMINING THE APPROPRIATENESS OF A PARTICULAR APPLICATION.

LIST SPECIFIC REASONS FOR DENIAL AND/OR CONDITIONS OF APPROVAL:

1. land restoration of the race track, within 1000 feet of the lake, to its natural condition with installation of vegetation along CR 107 to be complete within one year of this conditional use approval
2. one main property business entrance on State Hwy 34 with property entrances from CR 107 restricted to two
3. restaurant seating capacity not to exceed 400
4. maintain receipt ratio not to exceed 30/70 – alcohol to restaurant receipts, alcohol 30% max.
5. provide adequate parking on premises
6. outside music decibels not to exceed the property lines
7. Customer and commercial access shall be posted on State Hwy 34, per Hubbard County Ordinances
8. no racing events to be conducted on the property

Approved X Denied _____


Signature of Chairman

05/21/03

Date

ENVIRONMENTAL SERVICES OFFICE
HUBBARD COUNTY COURT HOUSE
PARK RAPIDS, MN

218) 732-3890

56470

APPLICATION FOR PERMITS

LEGAL DESCRIPTION AND LOCATION	HNR LONG LAKE PARK OUTLOT 1 EX PT FR SW COR PB N270 E183 S TO HWY SW AL HWY TO PB & EX HWY		Date <u>5/2/03</u>		
			Tax Parcel Number <u>13.42.03900</u>		
			E911 Address <u>17791 STATE 34</u>		
	Lake # <u>29-0161HE</u>	Lake Name <u>LONG</u>	Lake Class <u>REC DEV</u>	Sec/Twp/Range <u>20 140 34</u>	Twp Name <u>HENRIETTA</u>
OWNER	Name <u>JONES, WILLIAM F</u>		Address <u>P.O. BOX 48 PARK RAPIDS MN 56470</u>		City/State/Zip <u></u>
					Phone <u>732-3000</u>
Lot area	<u>12.02 ACRE</u> sq ft	Water frontage	<u></u> ft	Lot depth	<u>400</u> ft
					Max. land ht above high water mark on lot <u>20</u> ft
Building Permit Fee <u>\$90.00</u>					
Land ht above high water mark at bldg line	<u>30</u> ft	Bldg setback from high water mark	<u>850</u> ft	Bldg setback from nearest lot line	<u>125</u> ft
					Bldg setback from nearest ROW line <u>100</u> ft
Land Use	<u>Commercial</u>		Contractor <u>OWNER</u>		Permit Number: <u>13707</u>
Type	<u>ALTERATION</u>		License # <u>SELF</u>		
or use as	<u>Storage Building</u>		Size <u>39</u> Ft wide		
# Bedrooms	<u>0</u>	Basement <input checked="" type="checkbox"/>	x <u>48</u> Ft long		
# Bathrooms	<u>0</u>	Stories above basemt <u>1</u>	= <u>1872</u> SqFt		
Appeal Date: _____ Appeal Num: _____					
Appeal Decision: _____					
Comments: <u>Also adding deck with dimensions of 200' Long x 20' Wide. Contact with Jay Squires, MCIT ok'd 5-2-03. Also, a 14ft x 20 ft deck o backside of addition. (Ammended 5/21/03)</u>					

When working in wetlands, contact the DNR, Army Corp of Engineers, and the Hubbard County Wetland Act Administrator.

AGREEMENT: I the undersigned hereby make application for work described and located as shown herein. I hereby certify that the information contained herein is correct and agree to do the work in accordance with the provision of the Ordinances of Hubbard County, MN. I further agree that any plans and specification submitted herewith shall become part of this application, and I agree to an onsite inspection visit by Hubbard County without further notice.

Dated 5-21-03

Signature of Owner or Agent

PERMIT: Permission is hereby granted to the above named applicant to perform the work described in the above statement. This permit is granted upon the express condition that the person to whom it is granted, and his/her agent, employees and workers shall conform in all respects to the Ordinances of Hubbard County, MN. This permit may be revoked at any time upon violation of said Ordinances.

Dated 5/21/03

PLANNING & ZONING ADMINISTRATOR

NOTE: Any change in the above plans must be approved by the Hubbard County Environmental Services Office. All disposal systems shall be approved by the Environmental Services Office before covering. Permit is valid for a period of 12 (twelve) months.

BUILDER/LICENSE NO.
SELF
OWNER

HUBBARD COUNTY, MINNESOTA

BUILDING

PERMIT

DATE ISSUED
5/2/03
PERMIT EXPIRES
5/1/04

HAS BEEN
ISSUED TO

JONES, WILLIAM F

PARCEL #
13.42.03900

LOCATION

LAKE NAME
LONG

E911 ADDRESS
17791 STATE 34

TOWNSHIP NAME
HENRIETTA

SECTION TWP RANGE LAKE CLASS
20 140 34 REC DEV

LEGAL
DESCRIPTION

HNR LONG LAKE PARK OUTLOT 1 EX PT FR SW COR PB N270 E183 S TO HWY SW AL HWY TO PB & EX HWY

PERMIT #

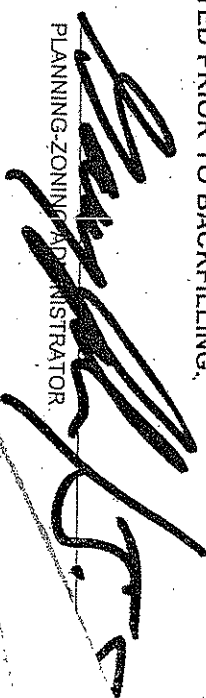
13707: ALTERATION/Storage Building

COMMENTS

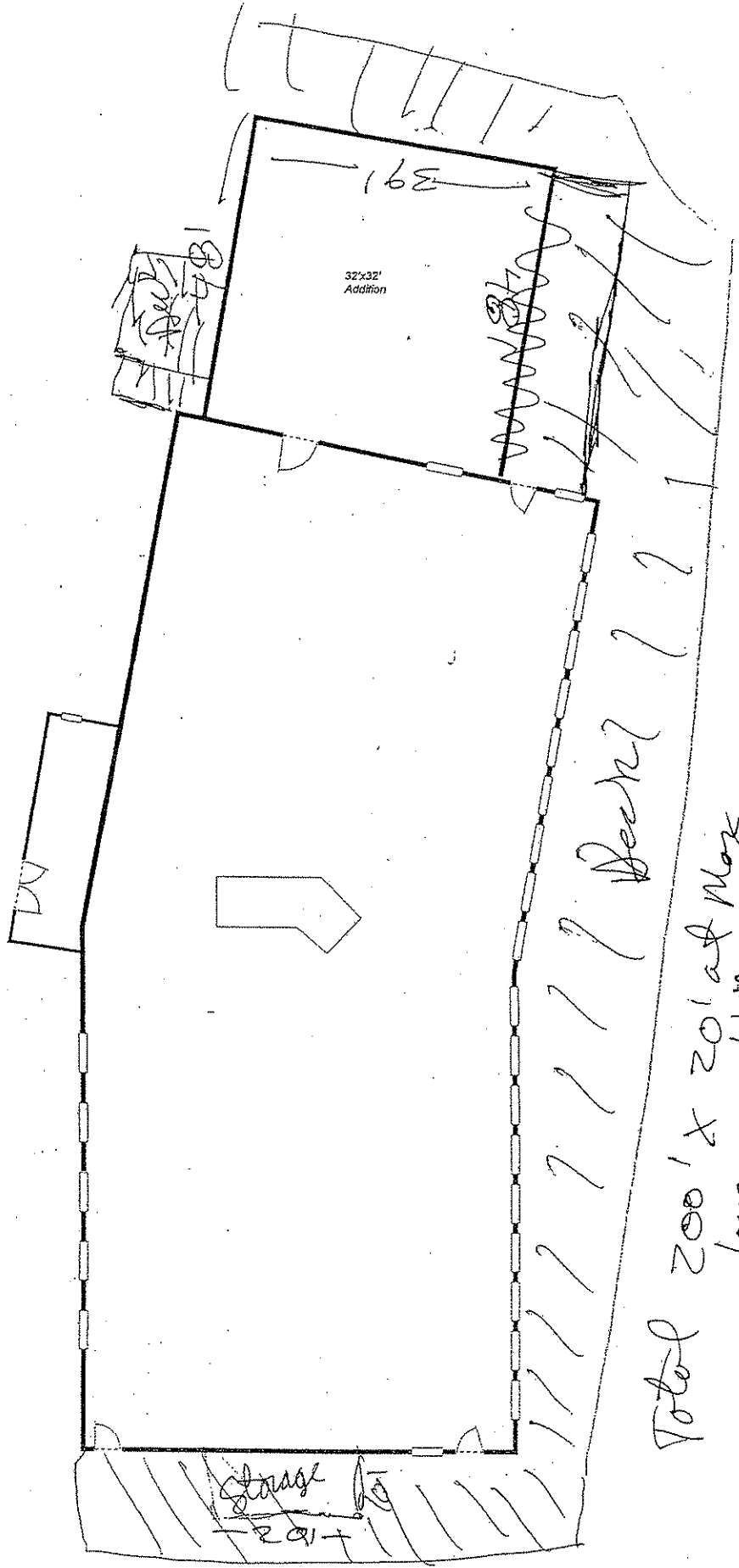
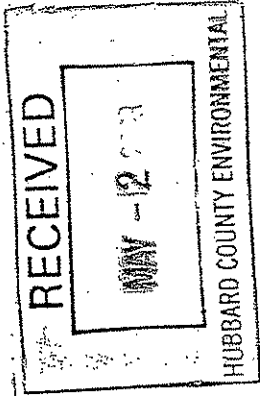
Also adding deck with dimensions of 200' Long x 20' Wide. Contact with Jay Squires, MCIT ok'd 5-2-03. Also, a 14ft x 20 ft deck o. backside of addition. (Amended 5/21/03)

POST ON PREMISES IN PLAIN VIEW (NO MORE THAN 12 FEET ABOVE GRADE ON THE PREMISES ON WHICH WORK IS TO BE DONE).
ALL SEPTIC SYSTEM INSTALLATIONS MUST BE INSPECTED PRIOR TO BACKFILLING.

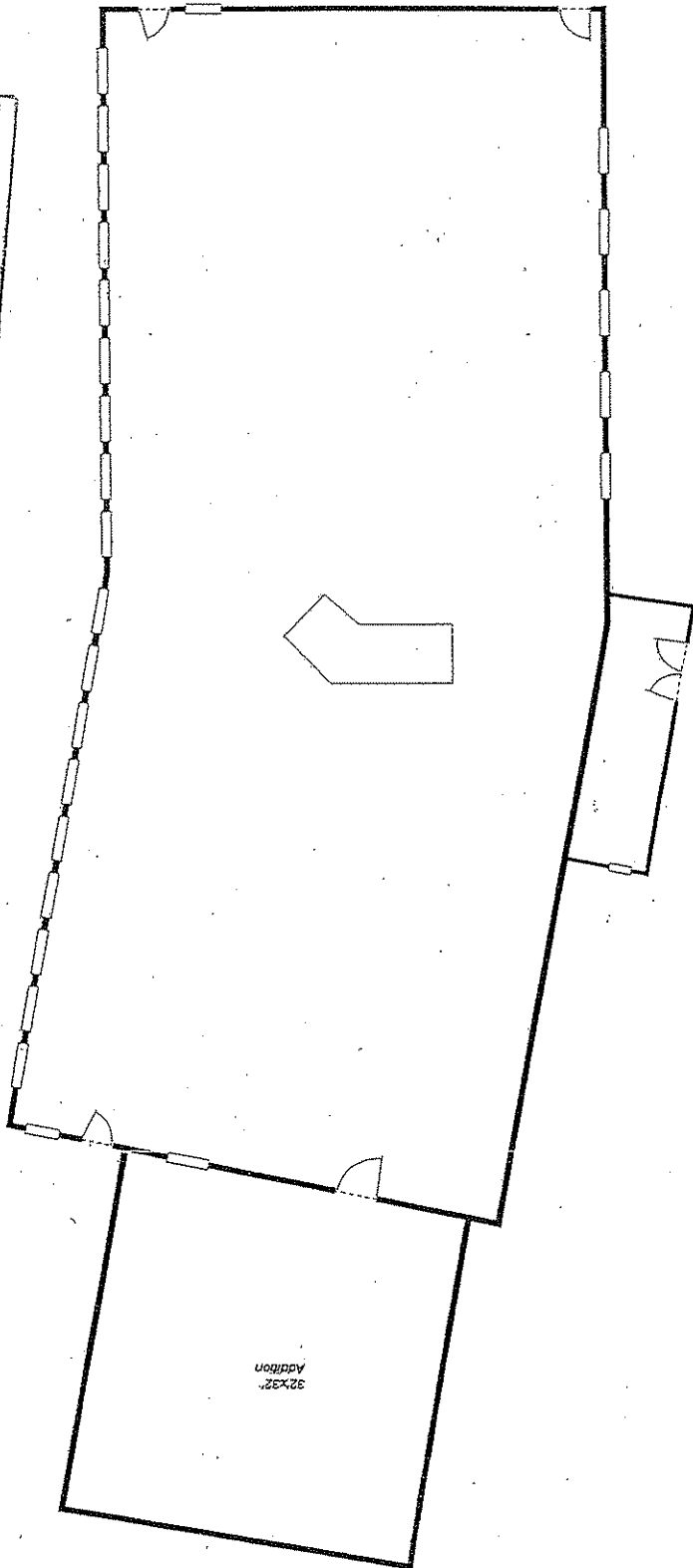
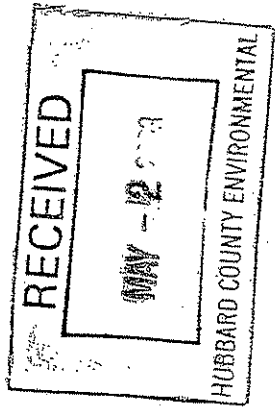
PLANNING ZONING ADMINISTRATOR



Ma 2, 2003
W.F.J.



Total 200' x 20' at Max
long wide



JUN 18 2003

William F. Jones Law Office

101 West Second Street P.O. Box 48
Park Rapids, MN 56470
Telephone (218) 732-3000 Fax: (218) 732-4000
E-Mail: wjoneslaw@yahoo.com

WILLIAM F. JONES
ATTORNEY AT LAW

June 16, 2003

Benjamin Barker
The Minnesota Board of Architecture, Engineering, Land Surveying,
Landscape Architecture, Geoscience & Interior Design
85 East 7th Place, Suite 160
St. Paul, MN 55101

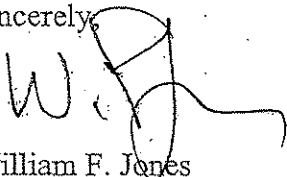
Re: William Jones, File No. 2003-0069

Dear Mr. Barker:

I am in receipt of your letter to June 10, 2003 and quite frankly am a little confused as to your interest in this property. I have spoken to Garry Johannson of the Hubbard County Environmental Services Office who does all permits, inspections and zoning issues in the county and he has told me very distinctly that Hubbard County is responsible for permitting and issues relating to the building of structures within the shoreland ordinance in Hubbard County. Based on this, he has suggested that if you have any questions you contact him directly at 218-732-3890, as Hubbard County Zoning issues permits to resorts for their cabins, food service buildings, and all other commercial structures and he is unaware that there is any requirement that there be architecture or engineered plans for these structures. Hubbard County Zoning followed the same permitting process for my property as they have for all other commercial property that they control and should you have any questions, please feel free to contact him. For your information, all plans that have been prepared for my building were done by myself and have been submitted to Hubbard County pursuant to their ordinance.

I appreciate your attention to this and please direct any further questions directly to Hubbard County, as the governing agency.

Sincerely,



William F. Jones
Attorney at Law
WFJ:mls

G:\WPDOCS\UONESPER\Crossings at PR\Barker.l2.wpd

EXHIBIT E

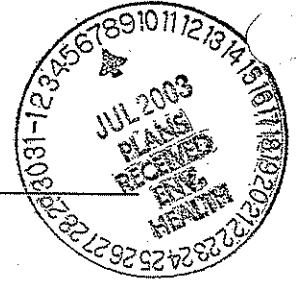
THE CROSSING AT PARK RAPIDS, INC.

789 State 34

Park Rapids, MN 56470

Telephone (218) 732-2700 Fax: (218) 732-4000

E-Mail: wjoneslaw@yahoo.com



July 1, 2003

Mr. Steve Craig
Minnesota Department of Health
Metro Square Building, Suite 220
121 East Seventh Place
St. Paul, MN 55101

Re: Kitchen and Bar Drawing for The Crossings at Park Rapids, Inc.
Project #: 031357

Dear Steve:

Pursuant to your letter of several months ago, I have finally got final approval for building a bar/restaurant three miles east of Park Rapids on State Highway 34. I will go through the bullet items of paragraph 7 of your Food and Beverage Establishments document and include all of the information I can at this time.

The name of the project and the project address is: The Crossings at Park Rapids, Inc., 17789 State 34, Park Rapids, MN 56470.

The name, address and phone number of the project owner is as stated above and my phone number is 218-732-2700 or 218-732-3000.

The layout of the food and beverage service equipment in the kitchen and bar area is as included in the drawing attached and this includes a 22' stainless steel hood with a current 17' cook-line with the 5 additional feet being left for possible expansion.

Starting with the left hand side of the cook-line, the four-burner and griddle 60" is manufactured by Vulcan and has 2 ovens in the unit. Next to that is a 24" griddle which is also manufactured by Vulcan. The third item is a 24" broiler manufactured by Tec and the fourth item is a 42" broiler manufactured by Tec. Next to that are 3 18" fryers which are double-basket. All of these items are stainless steel and will be purchased from either Palm Brothers, Premier Equipment or another commercial equipment dealer and I will get the model numbers of this equipment as we purchase it. You can be assured that all of it will be commercial equipment, stainless steel and meet all requirements of the Minnesota Department of Health.

In the lower right hand corner of the drawing there is a 20' x 20' refrigerator freezer and bar cooler, which will be the standard insulated panels with stainless steel doors and will be supplied

EXHIBIT F

Mr. Steve Craig
July 1, 2003
Page 2

by either Gustaf Larson Company or Tweeton Refrigeration of Detroit Lakes. There will be beer taps located as shown on the drawing and will be purchased from a commercial vendor to ensure they meet all of your requirements.

With respect to the location of the sinks, there will be a stainless steel bar sink, as required by code, as well as a prep sink in the center of the kitchen and a sink in the dishwasher area. All countertops will be stainless steel and the dishwasher will be a commercial Hobart dishwasher with temperature boost. In addition to this, there will be a hand sink at the end of the cook-line and if you require additional hand sinks in the kitchen area, they will be installed as required. In the waitress area on the left side of the kitchen, there will be a hand sink and a stainless steel refrigerator.

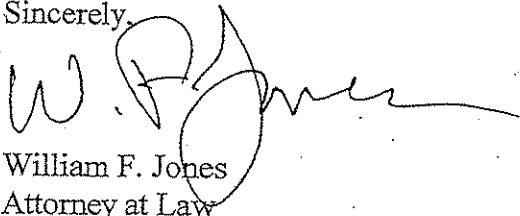
The shelving to be used in the kitchen, walk-in cooler and freezer, and storage rooms will be wire, stainless steel, or coated shelving as permitted by code and there will specifically be no wood shelving, cabinetry or other wood material in the kitchen area.

The walls in the kitchen will either be stainless steel or the glass composite board which make them easily cleaned. The floor will be concrete with the epoxy coating making it a solid surface which can be easily cleaned. There will be floor drains and quick connect couplers for a power steamer that can be used for cleaning equipment. All equipment will be on rollers, such that it can be moved and there will be cable restraints to ensure that nothing gets pulled away from the wall which would then effect the gas or electric connections. The ceilings in the kitchen area will also be a glass composite, the entire kitchen will be set up for easy steam cleaning. The bar and storage areas will be cleanable glass composite and there will be no wood exposed in any of the kitchen or food preparation areas.

The location of the bathrooms are as noted on the drawing and I will be submitting plans to the appropriate agency for a plumbing permit.

I appreciate your attention to this and will follow-up with you as soon as I have the model numbers on the equipment, but would ask that you give me preliminary approval for the drawing as submitted. If there is additional information you need, please get back to me immediately. I will be out of the country between July 8th and July 17th so please contact me after that date.

Sincerely,



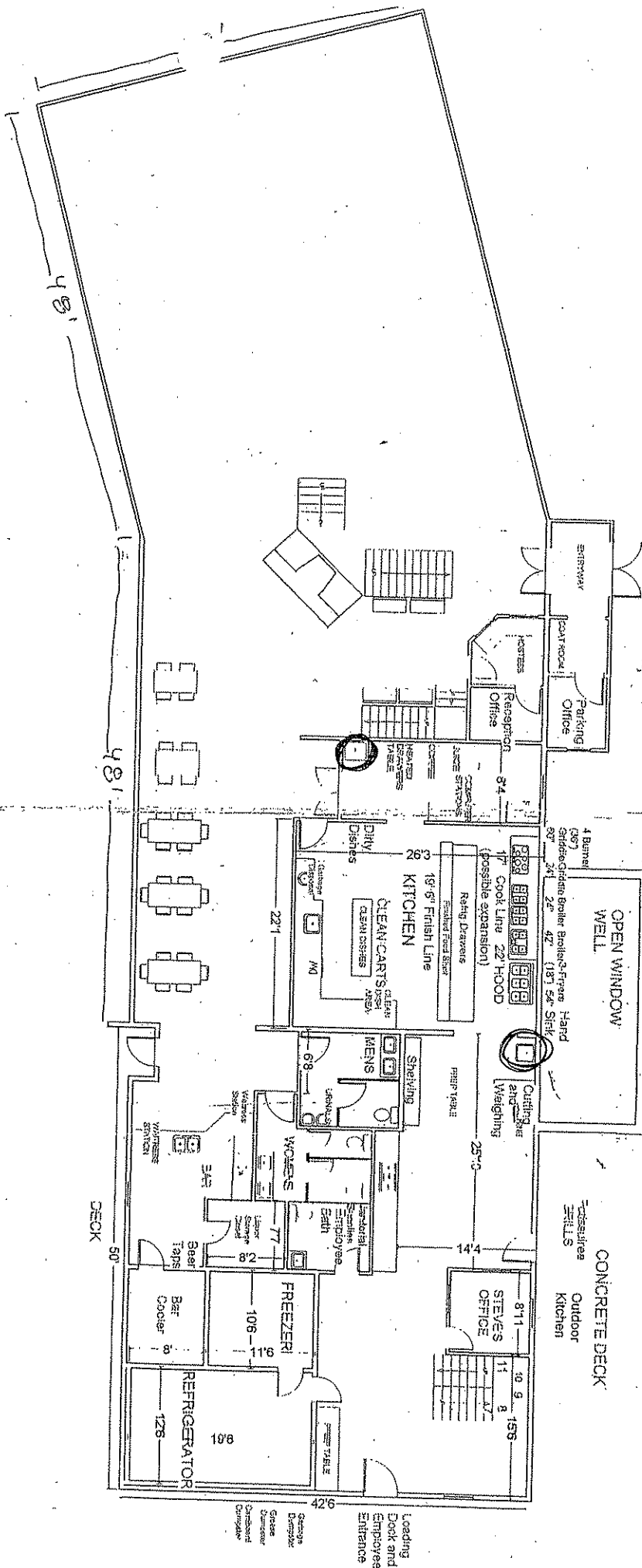
William F. Jones
Attorney at Law

WFJ:mls

enclosure

cc Ed Aletto





RECEIVED
SEP 22 2003

William F. Jones Law Office

101 West Second Street P.O. Box 48
Park Rapids, MN 56470
Telephone (218) 732-3000 Fax: (218) 732-4000
E-Mail: wjoneslaw@yahoo.com

WILLIAM F. JONES
ATTORNEY AT LAW

September 19, 2003

Benjamin Barker
The Minnesota Board of Architecture, Engineering, Land Surveying,
Landscape Architecture, Geoscience & Interior Design
85 East 7th Place, Suite 160
St. Paul, MN 55101

Re: William Jones, File No. 2003-0069

Dear Mr. Barker:

I am in receipt of your letter of September 8, 2003 and once again am asking you to contact Hubbard County Environmental Services and in particular, Garry Johannson, at 218-732-3890, should you have any questions on this project. I have pulled all of the permits for the buildings through them, I am the general contractor and I have done my own plans for the structure. There is no other contractor on the project. Hubbard County is somewhat confused as to your interest in this project when you have expressed no interest in the hundreds of other commercial properties built in Hubbard County and have suggested that if you have any questions on this project directly, you should contact them.

I appreciate your attention to this and look forward to having you contact Hubbard County directly.

Sincerely,



William F. Jones
Attorney at Law

WFJ:mls

GAWPDOCSVONESPERRACrossings at PRABarker.lit3.wpd

EXHIBIT G

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